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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
EVERETT ROBINSON,
Defendant.

No. CR07-253-SBA

STIPULATION AND ORDER TO
ADD MATTER TO CALENDAR AND
FOR EXCLUSION OF TIME

Defendant Everett Robinson was scheduled to appear in court on November 27, 2007. He was in custody on that date and was not brought to court. The parties therefore stipulate and agree that Mr. Robinson's case should be added to the Court's calendar on December 18, 2007, at 11:00 a.m. for change of plea. The parties further stipulate and agree that the time between November 27, 2007 and December 11, 2007, should be excluded from calculations under the Speedy Trial Act, 18 U.S.C. §3161(h)(8)(A) and (B)(iv). Mr. Robinson was not available on November 27, and December 18, 2007, is the next date upon which defendant and his counsel are both available. In addition, defendant requires this brief additional time to complete outstanding investigation into his case.

For these reasons, the parties request that the Court order that this period of time should be excluded under the Speedy Trial Act, 18 U.S.C. §3161 (h)(8)(A) and (B)(iv), because the

1 continuance is necessary to provide defendant with continuity of counsel and with the reasonable
2 time necessary for effective preparation, taking into account the exercise of due diligence.

3 SO STIPULATED.

4 Dated: Dec. 10, 2007

/S/

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6 CHINHAYI COLEMAN
Assistant United States Attorney

6 SO STIPULATED.

7 Dated: Dec. 10, 2007

/S/

8
9 HILARY A. FOX
Attorney for Defendant ROBINSON

10 I hereby attest that I have on file all holograph signatures for any signatures indicated by
11 a "conformed" signature (/S/) within this e-filed document.

12 **ORDER**

13 Good cause appearing therefore, and pursuant to the stipulation of the parties, it is the ORDER
14 of this Court that the above-captioned matter be added to the Court's calendar for December 18,
15 2007, at 10:30 a.m. for change of plea.

16 Based on the reasons provided in the stipulation of the parties above, the Court hereby FINDS
17 that the ends of justice served by granting the continuance outweigh the best interests of the public
18 and the defendant in a speedy trial, and that the failure to continue the matter would deny defendant
19 Robinson continuity of counsel and the reasonable time necessary for effective preparation, taking
20 into account the exercise of due diligence. See 18 U.S.C. §3161(h)(8)(A) & (B)(iv).

21 Based on these findings, IT IS HEREBY ORDERED THAT the time from December 11
22 through December 18, 2007, shall be excluded for purposes of the Speedy Trial Act, 18 U.S.C.
23 §3161(h)(8)(A) and (B)(iv).

24 Dated: Dec. 11, 2007

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26 SAUNDRA BROWN ARMSTRONG
United States District Court